

CLASSIFICATION OFFICE DECISION

Title of publication: IMG_6264.JPG

Other known title(s): Not stated

OFLC ref: 1900203.033

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Unrestricted.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 01 August 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 01 August 2019

Summary of reasons for decision:

The black and white image file depicts two boys playfully displaying their buttocks. The Classification Office has considered whether the image promotes or supports, or to tends to promote or support the exploitation of children or young persons for sexual purposes under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 and concludes that it does not. There is nothing overtly sexual about the image itself; the boys are not engaged in any sexual act, nor is their pose sexually inviting. While the situation in which this image was taken might be a sexually exploitative one, is their nudity is not exploited to any significant degree under s3(3)(b) of that Act. The unrestricted availability of the image is therefore unlikely to be injurious to the public good and the image is classified as unrestricted. This classification is consistent with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990.